

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:11CR3139
)	
v.)	
)	
MICHAEL P. MCMILLAN,)	MEMORANDUM AND ORDER
)	
Defendant.)	

The court has reviewed the police reports underlying the assault and domestic assault charges referenced in the defendant's criminal history. Based on the police records and the pretrial services report, the defendant appears to be addicted to alcohol, but he is not currently receiving substance abuse treatment; and the defendant becomes abusive, violent, and assaultive when he drinks, exhibits this conduct even in the presence of children, and has attempted to evade or avoid arrest on the related assault charges when made aware of outstanding warrants. The court finds that placing the defendant with a third party custodian in a home environment, particularly in the home of two parents raising an infant, will pose a risk of harm to the public.

Accordingly,

IT IS ORDERED that the defendant's Motion to Screen Proposed Third Party Custodian, (filing no. 18), is denied.

DATED this 29th day of December, 2011.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge